

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Whitney O. Brooks

Docket No. 5:14-MJ-2106-1

Petition for Action on Probation

COMES NOW Lee Holmes, Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Whitney O. Brooks, who, upon an earlier plea of guilty to 18 U.S.C. § 13 assimilating N.C.G.S. 20-138.1, Driving While Impaired, Level 5, and 18 U.S.C. § 13 assimilating N.C.G.S 90-113.22, Possession of Drug Paraphernalia, was sentenced by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, on September 7, 2016, to 12 months probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant submitted urine samples which tested positive for cocaine on September 19, 2016, and October 20, 2016. The defendant has admitted to cocaine use. We recommend that Ms. Brooks receive substance abuse treatment and complete a 5 day BOP sanction. Additionally, we will monitor the defendant's drug use through the surprise urinalysis program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 5 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Lee Holmes
Lee Holmes
Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: 910-354-2568
Executed On: December 20, 2016

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ORDER OF THE COURT

Considered and ordered this 27th day of December, 2016, and ordered filed and made a part of the records in the above case.

Kimberly A. Swank

Kimberly A. Swank
U.S. Magistrate Judge